

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW T. SHAFER, SHERI
HAUGABOOK, PETER HEIDT, JEFFREY
SHOVER, MACE TAMSE, GEORGE
LIVANOS, MARK LOFTUS, JEFFREY
SAMSEN, JEFFREY SHERESKY, STEVE
SHERESKY, STEVE NADLER, AND SANDY
JUKEL, ON BEHALF OF THEMSELVES AND
ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

vs.

MORGAN STANLEY, MORGAN STANLEY
SMITH BARNEY LLC, MORGAN STANLEY
COMPENSATION MANAGEMENT
DEVELOPMENT AND SUCCESSION
COMMITTEE, and John/Jane Does 1-20,

Defendants.

Civil Action No. 1:20-cv-11047-PGG

CLASS ACTION

June 8, 2022

**DECLARATION OF MATHEW P. JASINSKI IN OPPOSITION TO DEFENDANTS’
MOTION TO COMPEL ARBITRATION AND TO STAY PROCEEDINGS**

MATHEW P. JASINSKI, an attorney duly admitted to practice in the Southern District of New York, declares under penalty of perjury as follows:

1. I am a member of the law firm of Motley Rice LLC and am one of the attorneys who represents Plaintiffs in the above-captioned matter.
2. I submit this declaration in opposition to the motion of Defendants Morgan Stanley, Morgan Stanley Smith Barney LLC, and the Morgan Stanley Compensation Management Development and Succession Committee (collectively, “Morgan Stanley”) to compel arbitration, dated May 9, 2022.

3. Attached as **Exhibit 1** is a true and correct copy of a document titled Morgan Stanley Compensation Incentive Plan Wealth Management Financial Advisor / Private Wealth Adviser Awards 2016 Discretionary Retention Awards Award Certificate.

4. Attached as **Exhibit 2** is a true and correct copy of a document titled Morgan Stanley Compensation Incentive Plan document. Upon information and belief, this document has been in effect since 2008 and part of the “applicable award documentation” when participants’ deferred compensation is credited to their account each January.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 8, 2022
Hartford, Connecticut

/s/ Mathew P. Jasinski
Mathew P. Jasinski

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2022, a copy of the foregoing *Declaration of Mathew P. Jasinski in Opposition to Defendants' Motion to Compel Arbitration and to Stay Proceedings* was served on Defendants' counsel by email, as agreed by the parties.

/s/ Mathew P. Jasinski
Mathew P. Jasinski